



# **STIC Search Report**

**EIC 3700**

**STIC Database Tracking Number: 176436**

**TO: Ahmed M Farah**  
**Location: RND 7a59**  
**Art Unit: 3735**  
**Thursday, January 12, 2006**

**Case Serial Number: 10/008393**

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## **Search Notes**

Two cases found involving US pat. 6318362:

Status-OPEN 04cv1769 A Major Difference v Erchonia Medical Inc, et al

Sources:

Lexis/Nexis  
Questel-Orbit  
Courtlink

971880 (08) 6013096 January 11, 2000

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

6013096

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[Link to Claims Section](#)

January 11, 2000

Hand-held laser light generator device

**REEXAM-LITIGATE:**

NOTICE OF LITIGATION

A Major Difference, Inc. v. Erchonia Medical, Inc., et al., Filed August 24, 2004, D.C. Colorado, Doc. No. 04-MK-1769 (CBS)

**REISSUE:** Reissue Application filed Nov. 6, 2001 (O.G. Mar. 19, 2002) Ex. Gp.: 1774; Re. S.N. 10/008,393, (O.G. March 19, 2002)

**APPL-NO:** 971880 (08)

**FILED-DATE:** November 19, 1997

**GRANTED-DATE:** January 11, 2000

**LEGAL-REP:** Flanagan & Flanagan; Flanagan, John K.; Flanagan, John R.

(C) QUESTEL 1994  
QUESTEL.ORBIT (TM) 1998

Selected file: PLUSPAT  
PLUSPAT - (c) Questel-Orbit, All Rights Reserved.  
Comprehensive Worldwide Patents database

\*\* SS 1: Results 1  
PRT SS 1 MAX 1 LEGALALL

1 / 1 PLUSPAT - @QUESTEL-ORBIT - image

**Patent Number :**

US6013096 A 20000111 [US6013096]

**Title :**

(A) Hand-held laser light generator device

**Inventor(s) :**

(A) TUCEK KEVIN B (US)

**Application Nbr :**

US97188097 19971119 [1997US-0971880]

**Filing Details :**

Rel. Prov. 60/031,620 19961122 [1996US-P031620]

**Priority Details :**

US97188097 19971119 [1997US-0971880]

US3162096P 19961122 [1996US-P031620]

**Intl Patent Class :**

(A) A61N-021/00

**EPO ECLA Class :**

A61N-005/06C2

**EPO ICO Class :**

K61N-005/06C6

K61N-005/06S6H

**US Patent Class :**

ORIGINAL (O) : 607089000; CROSS-REFERENCE (X) : 606002000 606013000

**Document Type :**

Basic

**Citations :**

US4608978; US4733660; US4784135; US4905690; US5474528; US5755752

**Publication Stage :**

(A) United States patent

**Abstract :**

A hand-held laser light generator device includes a wand, a semiconductor diode laser for generating a beam of laser light, an optical arrangement, a housing having an interior chamber, a battery in the housing interior chamber, an electrical cord connecting the laser in the wand with the battery in the housing, an electronic timing circuit, a start switch and a selector knob. The wand, capable of being retained in a user's hand, is an elongated hollow tube and defines an interior cavity. The laser is mounted in the wand interior cavity and therewith is freely movable so as to enable the user to direct the beam of laser light onto a desired location. The optical arrangement mounted in the wand interior cavity receives and transforms the generated beam of laser light into a line of laser light. The electrical timing circuit is disposed in the housing interior chamber and mounted to the housing. The start switch is activatable between on and off positions while the selector knob has multiple period of time length setting positions. The start switch and selector knob are mounted to the housing and accessible at the exterior thereof and are in operable communication with the electrical timing circuit for controlling initiation of generation of and length of the period of time that the laser light beam is generated.

**Patent Number :**  
US6013096 A 20000111 [US6013096]  
**Application Number :**  
US97188097 19971119 [1997US-0971880]  
**Action Taken :**  
20020319 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 20011106  
**Update Code :**  
2003-22

1 / 1 CRXX - ©CLAIMS/RRX  
**Patent Number :**  
6,013,096 A 20000111 [US6013096]  
**Patent Assignee :**  
Tucek, Kevin B  
**Actions :**  
20011106 REISSUE REQUESTED  
ISSUE DATE OF O.G.: 20020319  
REISSUE REQUEST NUMBER: 10/008393  
EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 1774

Reissue Patent Number:

1 / 1 LITA - ©Thomson Derwent  
**Accession Number :**  
P2004-47-03  
**File Segment :**  
PATENT (P)  
**Patent Number :**  
US6013096 20000111 (Utility)  
**Plaintiffs :**  
A Major Difference Inc  
**Defendants :**  
Erchonia Medical Inc et al  
**Court :**  
CO  
**Docket Number :**  
04-MK-1796 (CBS)  
**Filing Date :**  
2004-08-24  
**Action :**  
A complaint was filed  
**Other Patents Nbrs :**  
US6746473

Session finished: 11 JAN 2006 Time 21:03:25  
QUESTEL.ORBIT thanks you. Hope to hear from you again soon.

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**US District Court Civil Docket**

**U.S. District - Colorado  
(Denver)**

**1:04cv1769**

**A Major Difference v. Erchonia Medical Inc, et al**

**This case was retrieved from the court on Wednesday, January 11, 2006**

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<b>Date Filed: 08/24/2004</b>	<b>Class Code: NDISPO</b>
<b>Assigned To: Judge Marcia S Krieger</b>	<b>Closed: no</b>
<b>Referred To: Magistrate Judge Craig B Shaffer</b>	<b>Statute: 28:2201</b>
<b>Nature of suit: Patent (830)</b>	<b>Jury Demand: Both</b>
<b>Cause: Constitutionality of State Statute(s)</b>	<b>Demand Amount: \$0</b>
<b>Lead Docket: None</b>	<b>NOS Description: Patent</b>
<b>Other Docket: None</b>	
<b>Jurisdiction: Federal Question</b>	

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Dr Ron Stellmacher  
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Date	#	Proceeding Text
08/23/2004	1	COMPLAINT (Summons(es) issued); jury demand (bpm) (Entered: 08/25/2004)
08/24/2004	2	Information (STATEMENT) regarding related cases pending in other jurisdictions by plaintiff re: complaint [1-1] (bpm) (Entered: 08/25/2004)
08/24/2004	3	Corporate Disclosure pursuant to Fed. R. CIV. P. 7.1(a) and D.C.COLO.LCivR 7.4A (STATEMENT) by plaintiff re: complaint [1-1] (bpm) (Entered: 08/25/2004)
08/24/2004	--	FILING FEE PAID: on 8/24/04 in the amount of \$ 150, receipt # 254108. (bpm) (Entered: 08/25/2004)
08/24/2004	4	EXHIBITS by plaintiff A Major Difference to complaint [1-1] (bpm) (Entered: 08/25/2004)
09/14/2004	5	Corporate Disclosure STATEMENT by defendant Erchonia Medical Inc, defendant Erchonia Med Las LLC, defendant Erchonia Patent Hldg (erv) (Entered: 09/16/2004)
09/14/2004	6	Unopposed MOTION by defendant Erchonia Medical Inc, defendant Erchonia Med Las LLC, defendant Erchonia Patent Hldg to extend time to Answer Complaint extended to: 10/5/04 (erv) (Entered: 09/16/2004)
09/14/2004	7	STIPULATION for extension of time to answer or respond to Complaint to 9/27/04 by defendant Etherton Law Grp LLC, defendant Sandra Etherton (erv) (Entered: 09/16/2004)
09/16/2004	8	ORDER by Judge Marcia S. Krieger granting motion to extend time to Answer Complaint extended to: 10/5/04 [6-1] and noting that no order is required for an initial extension to respond of 20 days upon agreement of csl pursuant to local rule (cc: all counsel) ; entry date : 9/20/04 (erv) (Entered: 09/20/2004)
09/20/2004	9	RETURN OF SERVICE of Summons and Complaint upon defendant Erchonia Medical Inc on 8/31/04 by leaving with: Ira Schwartz (erv) (Entered: 09/21/2004)
09/20/2004	10	RETURN OF SERVICE of Summons and Complaint upon defendant Erchonia Med Las LLC on 8/31/04 by leaving with: Ira Schwartz (erv) (Entered: 09/21/2004)
09/20/2004	11	RETURN OF SERVICE of Summons and Complaint upon defendant Erchonia Patent Hldg on 8/31/04 by leaving with: Ira Schwartz (erv) (Entered: 09/21/2004)

09/20/2004	12	RETURN OF SERVICE of Summons and Complaint upon defendant Sandra Etherton on 8/31/04 by leaving with: Sandra Atherton (erv) (Entered: 09/21/2004)
09/20/2004	13	RETURN OF SERVICE of Summons and Complaint upon defendant Etherton Law Grp LLC on 8/31/04 by leaving with: Sandra Etherton (erv) (Entered: 09/21/2004)
09/27/2004	14	Unopposed MOTION by defendant Etherton Law Grp LLC, defendant Sandra Etherton to extend time to Answer Complaint extended to: 10/7/04 (erv) (Entered: 09/28/2004)
09/28/2004	15	ORDER by Judge Marcia S. Krieger granting Etherton Dfts Unopposed motion to extend time to Answer Complaint extended to: 10/7/04 [14-1] (cc: all counsel) ; entry date : 9/28/04 (erv) (Entered: 09/28/2004)
10/05/2004	16	MOTION by defendant Erchonia Medical Inc, defendant Erchonia Med Las LLC to dismiss Seventh Claim for Relief and to str certain allegations of the complaint (erv) (Entered: 10/06/2004)
10/05/2004	17	ANSWER to complaint [1-1] and COUNTERCLAIM by defendant Erchonia Medical Inc, defendant Erchonia Med Las LLC, defendant Erchonia Patent Hldg against plaintiff A Major Difference; cntdft Robert Moroney, Robert E. Moroney, Miki Smith, KMS Marketing, Inc, George Gonzalez, Lorena Guzman, Stargate Intl., Inc., Brandon Shapiro, Ron Stellmacher, Robert Stashko (erv) (Entered: 10/08/2004)
10/05/2004	17	THIRD-PARTY COMPLAINT: by defendant Erchonia Medical Inc, defendant Erchonia Patent Hldg adding third-party defendant A Major Difference, Robert Moroney, Robert E. Moroney, Miki Smith, KMS Marketing, Inc, George Gonzalez, Lorena Guzman, Stargate Intl., Inc., Brandon Shapiro, Ron Stellmacher, Robert Stashko (erv) (Entered: 10/08/2004)
10/05/2004	18	NOTICE of Correction by defendant Erchonia Medical Inc, defendant Erchonia Med Las LLC, defendant Erchonia Patent Hldg, to Pla's filing Entitled, "Information regarding Related Cases pending in other Jurisdictions" (erv) (Entered: 10/08/2004)
10/07/2004	19	Unopposed Second MOTION by defendant Etherton Law Grp LLC, defendant Sandra Etherton to extend time to Answer Complaint extended to: 10/14/04 (erv) (Entered: 10/12/2004)
10/12/2004	20	NOTICE OF Stipulated DISMISSAL as to party Sandra Etherton, party Etherton Law Grp LLC, each party to pay their own atty fees and costs ; entry date : 10/14/04 (erv) (Entered: 10/14/2004)
10/12/2004	21	SUPPLEMENT and Correction by plaintiff A Major Difference to statement regarding related cases pending in other jurisdictions [2-1] (erv) (Entered: 10/14/2004)
10/14/2004	22	ORDER by Judge Marcia S. Krieger granting party dismiss/dismissal [20-1] dismissing party Sandra Etherton party Etherton Law Grp LLC with prejudice, each party to pay their own expenses and atty fees (cc: all counsel) ; entry date : 10/19/04 (erv) (Entered: 10/19/2004)
10/14/2004	23	ORDER by Judge Marcia S. Krieger granting Etherton Dfts second unopposed motion to extend time to Answer Complaint extended to: 10/14/04 (cc: all counsel) ; entry date : 10/19/04 (erv) (Entered: 10/19/2004)
10/20/2004	24	WAIVER OF SERVICE of Summons and Complaint by counter-defendant KMS Marketing, Inc on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	25	WAIVER OF SERVICE of Summons and Complaint by counter-defendant Robert Moroney, counter-defendant Robert E. Moroney, third-party defendant Robert Moroney, third-party defendant Robert E. Moroney on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	26	WAIVER OF SERVICE of Summons and Complaint by third-party defendant Robert Moroney, third-party defendant Miki Smith on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	27	WAIVER OF SERVICE of Summons and Complaint by third-party defendant Miki Smith on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	28	WAIVER OF SERVICE of Summons and Complaint by counter-defendant Robert Moroney on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	29	WAIVER OF SERVICE of Summons and Complaint by third-party defendant KMS Marketing, Inc on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	30	WAIVER OF SERVICE of Summons and Complaint by third-party defendant Stargate Intl., Inc. on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	31	WAIVER OF SERVICE of Summons and Complaint by counter-defendant Miki Smith on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	32	WAIVER OF SERVICE of Summons and Complaint by third-party defendant Stargate Intl., Inc. on 10/18/04 (erv) (Entered: 10/22/2004)
10/20/2004	33	WAIVER OF SERVICE of Summons and Complaint by third-party defendant Robert E. Moroney on 10/18/04 (erv) (Entered: 10/22/2004)

10/22/2004	34	RESPONSE by plaintiff A Major Difference to Erchonia motion to dismiss Seventh Claim for Relief and to strike certain allegations of the complaint [16-1] (erv) (Entered: 10/25/2004)
10/25/2004	35	ORDER by Judge Marcia S. Krieger ; in court hrg set for 8:00 1/11/05 (cc: all counsel) ; entry date : 10/25/04 (erv) (Entered: 10/25/2004)
10/26/2004	36	ANSWER TO third-party complaint [17-1] by third-party defendant Stargate Intl., Inc. (erv) (Entered: 10/27/2004)
10/26/2004	37	ANSWER TO third-party complaint [17-1] by third-party defendant Miki Smith, third-party defendant KMS Marketing, Inc (erv) (Entered: 10/27/2004)
10/26/2004	38	REPLY TO COUNTERCLAIM [17-2] by counter-defendant A Major Difference (erv) (Entered: 10/27/2004)
10/26/2004	38	ANSWER TO third-party complaint [17-1] by third-party defendant A Major Difference (erv) (Entered: 10/27/2004)
10/26/2004	39	ANSWER TO third-party complaint [17-1] by third-party defendant Robert Moroney, third-party defendant Robert E. Moroney (erv) (Entered: 10/27/2004)
10/27/2004	40	WAIVER OF SERVICE of Summons and Complaint by counter-defendant George Gonzalez, third-party defendant George Gonzalez on 10/22/04 (erv) (Entered: 10/28/2004)
10/27/2004	41	WAIVER OF SERVICE of Summons and Complaint by third-party defendant George Gonzalez, counter-defendant George Gonzalez on 10/22/04 (erv) (Entered: 10/28/2004)
10/27/2004	42	ANSWER TO third-party complaint [17-1] by third-party defendant George Gonzalez (dlb) (Entered: 10/28/2004)
11/05/2004	43	Unopposed MOTION for Extension of Time to Serve Certain Third Party Defendants to 11/12/04 by Defendants Erchonia Medical Lasers, L.L.C., Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C.. (gms, ) (Entered: 11/09/2004)
11/08/2004	44	Erchonia Dfts' REPLY in support [16] Motion to Dismiss 7th claim for relief and to strike certain allegations of the complaint (dlb, ) (Entered: 11/10/2004)
11/10/2004	45	SUMMONS Returned Executed by 3rd Party Plas Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C. 3rd Party Dft Ron Stellmacher served on 11/1/2004, answer due 11/22/2004. (gms, ) (Entered: 11/16/2004)
11/10/2004	46	SUMMONS Returned Executed by 3rd Party Plas Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C. 3rd Party Dft Brandon Shapiro served on 11/3/2004 by leaving w/ sister Melanie Shapiro, answer due 11/23/2004. (gms, ) (Entered: 11/16/2004)
11/10/2004	47	ORDER granting Erchonia dfts' unopposed [43] Motion for Extension of Time to Serve 3rd Party Dfts Guzman and Stashko to 11/12/04. Signed by Judge Marcia S. Krieger on 11/8/04. (gms, ) (Entered: 11/16/2004)
11/12/2004	48	MOTION for Additional Extension of Time to Serve One Third-Party Defendant Lorena Guzman to 11/19/04 by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C.. (gms, ) (Entered: 11/16/2004)
11/15/2004	49	ORDER granting dft Erchonia's [48] Motion for additional time to serve 3rd party dft Guzman to 11/19/04. Signed by Judge Marcia S. Krieger on 11/15/04. (gms, ) (Entered: 11/19/2004)
11/18/2004	50	Unopposed MOTION for Extension of Time to File Answer re [17] Third Party Complaint, by Third Party Defendants Brandon Shapiro, Robert Stashko, Ron Stellmacher. (erv, ) (Entered: 11/22/2004)
11/19/2004	51	Unopposed MOTION to Extend time to serve one Third-Party Dft by Defendants Erchonia Medical Lasers, L.L.C., Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C.. (erv, ) (Entered: 11/23/2004)
11/22/2004	52	ORDER granting [50] Motion for Extension of Time to Answer [17] Third Party Complaint, Brandon Shapiro answer due 12/9/2004; Robert Stashko answer due 12/9/2004; Ron Stellmacher answer due 12/9/2004 . Signed by Judge Marcia S. Krieger on 11/19/04. (gms, ) (Entered: 11/26/2004)
11/22/2004	53	ORDER granting [51] Motion to Extend time to serve one third party defendant, Lorena Guzman to 12/3/04. Signed by Judge Marcia S. Krieger on 11/22/04. (gms, ) (Entered: 11/26/2004)
12/09/2004	54	Second Unopposed MOTION for Extension of Time to File Answer re [17] Third Party Complaint, by Third Party Defendants Brandon Shapiro, Robert Stashko, Ron Stellmacher. (erv, ) (Entered: 12/10/2004)
12/13/2004	55	ORDER granting [54] Motion for Extension of Time to Answer Brandon Shapiro answer due 12/15/2004; Ron Stellmacher answer due 12/15/2004; Robert Stashko answer due 12/15/2004. . Signed by Judge Marcia S. Krieger on 12/13/04. (erv2, ) (Entered: 12/16/2004)

12/14/2004	56	NOTICE of Dismissal without prejudice their third party claims against third-party Dfts Brandon Shapiro, Ron Stellmacher, d/b/a Badger Chiropractic, and Roger Stashko, with each of these respective parties to bear their own atty fees and costs (erv, ) (Entered: 12/17/2004)
12/15/2004	57	Unopposed MOTION for Extension of Time to File Answer re [17] Third Party Complaint, by ThirdParty Defendant Lorena Guzman. (erv, ) (Entered: 12/17/2004)
12/16/2004	58	SUMMONS Returned Executed by Erchonja Medical, Inc., Erchonja Patent Holdings, L.L.C.. Lorena Guzman served on 11/27/2004, by leaving with George Guzman, Husband, answer due 12/17/2004. (erv, ) (Entered: 12/20/2004)
12/20/2004	59	ORDER granting [57] Motion for Extension of Time to Answer. Third-party Lorena Guzman shall have to and incl 1/6/05 to answer . Signed by Judge Marcia S. Krieger on 12/20/04. (erv, ) (Entered: 12/23/2004)
01/06/2005	60	ANSWER to Third Party Complaint by Lorena Guzman.(erv, ) (Modified on 4/18/2005 to correct file date) (gms, ). (Entered: 01/10/2005)
01/11/2005	62	ORDER REFERRING CASE to Magistrate Judge Craig B Shaffer (erv, ) (Entered: 01/14/2005)
01/11/2005	63	SCHEDULING ORDER: On 2/10/05 the parties shall file jointly with the Court a chart which identifies all claim interpretation issues and proposed constructions of 473 patent. Signed by Judge Marcia S. Krieger on 1/11/05. (erv, ) (Entered: 01/14/2005)
01/11/2005	64	Minute Entry for proceedings held before Judge Marcia S. Krieger : The Court sets 1/20/05 for Erchonja to prepare its statement and exchange it with opposing parties, 1/31/05 for AMD parties to do the same and 2/10/05 for the submission of a chart which identifies all disputed claims and terms; Discovery is NOT STAYED.Scheduling Conference held on 1/11/2005 (Court Reporter Paul Zuckerman.) (erv, ) (Entered: 01/19/2005)
01/12/2005	61	TRANSCRIPT of Rule 16 Conf held on 1/11/05 before Marcia S. Krieger, United States District Court Judge. Prepared by: Paul Zuckerman. Pages: 1-18. (certified copy) (erv, ) (Entered: 01/13/2005)
01/24/2005	65	MINUTE ORDER, Set Hearings: Settlement Conference set for 3/14/2005 01:30 PM in Courtroom A 402 before Magistrate Judge Craig B Shaffer. by Magistrate Judge Craig B Shaffer on 1/24/05. (erv, ) (Entered: 01/27/2005)
02/03/2005	66	NOTICE of Change of Address and Firm, Name by Ira M. Schwartz (erv, ) (Entered: 02/08/2005)
02/10/2005	67	Joint Submission (STATEMENT) Regarding Claim Construction Issues by Plaintiff A Major Difference, Inc., Defendants Erchonja Medical, Inc., Erchonja Medical Lasers, L.L.C., Erchonja Patent Holdings, L.L.C.. (erv, ) (Entered: 02/14/2005)
02/16/2005	68	MOTION for Leave to File and serve Counterclaims to the Erchonja parties Third-Party Complaint, by Counter Defendant Stargate International, Inc., a Colorado corporation, ThirdParty Defendant Stargate International, Inc., a Colorado corporation. (erv, ) (Entered: 02/18/2005)
02/16/2005	--	TENDERED Amended Answer and Counterclaims to the Erchonja Parties Third-Party Complaint to [68] MOTION for Leave to File by Counter Defendant Stargate International, Inc., a Colorado corporation, Third-Party Defendant Stargate International, Inc., a Colorado corporation. (erv, ) (Entered: 02/18/2005)
02/22/2005	69	MEMORANDUM referring to Magistrate Judge Shaffer : [68] Stargate Intl's MOTION for Leave to File and Serve Counterclaims to the Erchonja Parties Third-Party Complaint, filed by Stargate International, Inc., a Colorado corporation, . by Judge Marcia S. Krieger on 2/22/05. (erv, ) (Entered: 02/23/2005)
03/07/2005	70	MOTION for Order to participate in settlement conf by telephone by Counter Defendants George Gonzalez, Lorena Guzman, Third Party Defendants George Gonzalez, Lorena Guzman. (erv, ) (Entered: 03/08/2005)
03/09/2005	71	RESPONSE to [70] MOTION for Order to particiapate in the Settlement Conf by Telephone, by the Erchonja Parties (erv, ) (Entered: 03/10/2005)
03/11/2005	72	RESPONSE to Stargate International, Inc's [68] MOTION for Leave to File and Serve Counterclaims to the Erchonja Parties Third-Party Complaint filed by Third Party Plaintiffs Erchonja Medical, Inc., Erchonja Patent Holdings, L.L.C., Defendants Erchonja Medical, Inc., Erchonja Medical Lasers, L.L.C., Erchonja Patent Holdings, L.L.C., Counter Claimants Erchonja Medical, Inc., Erchonja Medical Lasers, L.L.C., Erchonja Patent Holdings, L.L.C.. (erv, ) (Entered: 03/14/2005)
03/11/2005	73	MEMORANDUM referring to Magistrate Judge Shaffer : [70] MOTION for Order to participate in the Settlement Conf by telephone, filed by George Gonzalez, Lorena Guzman, by Judge Marcia S. Krieger on 3/11/05. (erv, ) (Entered: 03/14/2005)



03/11/2005	74	Minute ORDER granting [70] Motion for Order to participate in the settlement conf by telephone by Gonzalez and Guzman . by Magistrate Judge Craig B Shaffer on 3/11/05. (erv, ) (Entered: 03/15/2005)
03/14/2005	75	Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer : Settlement Conference held on 3/14/2005 (erv, ) (Entered: 03/21/2005)
03/25/2005	76	REPLY in Further Support Response to [68] MOTION for Leave to File and Serve Counterclaims to the Erchonia's parties Third-Party Complaint filed by Counter Defendant Stargate International, Inc., a Colorado corporation, ThirdParty Defendant Stargate International, Inc., a Colorado corporation. (erv, ) (Entered: 03/28/2005)
03/28/2005	77	NOTICE of Change of Address by Ira M. Schwartz (erv, ) (Entered: 03/30/2005)
04/18/2005	78	Supplemental ORDER of Reference [62] Referring Case to Magistrate Judge Shaffer, Convene a scheduling conference, enter a scheduling order which addresses deadlines for all motions to be filed in this case. Signed by Judge Marcia S. Krieger on 4/18/05. (erv, ) (Entered: 04/20/2005)
04/19/2005	79	MINUTE ORDER, Set Hearings: Scheduling Conference set for 5/13/2005 10:00 AM in Courtroom A 402 before Magistrate Judge Craig B Shaffer. by Magistrate Judge Craig B Shaffer on 4/19/05. (erv, ) (Entered: 04/21/2005)
04/25/2005	80	MINUTE ORDER, Reset Hearings: Scheduling Conference Reset for 6/1/2005 08:30 AM in Courtroom A 402 before Magistrate Judge Craig B Shaffer.by Magistrate Judge Craig B Shaffer on 4/25/05. (erv, ) (Entered: 04/27/2005)
06/01/2005	81	ORDER, Set Hearings: Final Pretrial Conference set for 9/6/2006 08:30 AM in Courtroom A 901 before Judge Marcia S. Krieger. Ten Day Jury Trial set for 12/4/2006 01:00 PM, on a trailing docket in fourth position, in Courtroom A 901 before Judge Marcia S. Krieger. Signed by Judge Marcia S. Krieger on 6/1/05. (erv, ) (Entered: 06/02/2005)
06/01/2005	82	Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer : Scheduling Conference held on 6/1/2005; Taking Under Advisement [68] MOTION for Leave to File and Serve Counterclaims to the Erchonia Parties, Third-Party Complaint; Settlement Conference set for 11/14/2005 01:30 PM in Courtroom A 402 before Magistrate Judge Craig B Shaffer. (Court Reporter FTR.) (erv, ) (Entered: 06/03/2005)
06/01/2005	--	ORDER taking under advisement [68] Motion for Leave to File and Serve Counterclaims to the Erchonia Parties, Third-Party Complaint, by Magistrate Judge Craig B Shaffer on 6/1/05. (erv, ) (Entered: 06/03/2005)
06/03/2005	83	SCHEDULING ORDER: Discovery due by 10/28/2005. Dispositive Motions due by 10/28/2005. Signed by Magistrate Judge Craig B Shaffer on 6/3/05. (erv, ) (Entered: 06/07/2005)
06/03/2005	84	ORDER granting [68] Stargate Intl, Inc's Motion for Leave to file and serve Counterclaims to the Erchonia parties' Third-Party Complaint. Stargate Intl Amended Answer, Affirmative Defenses and Counterclaims is accepted for filing . Signed by Judge Marcia S. Krieger on 6/3/05. (erv, ) (Entered: 06/08/2005)
06/03/2005	87	AMENDED ANSWER to [17] Third Party Complaint, and COUNTERCLAIM against Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C. by ThirdParty Defendant Stargate International, Inc., a Colorado corporation, Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C. (erv, ) (Entered: 06/13/2005)
06/10/2005	85	NOTICE of Entry of Appearance by Valerie A. Garcia on behalf of Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C. (erv, ) (Entered: 06/13/2005)
06/10/2005	86	NOTICE of Entry of Appearance by Charles R. Ledbetter, John Roger Mann on behalf of Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C. (erv, ) (Entered: 06/13/2005)
06/13/2005	88	ANSWER to Stargate International's Counterclaims, by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.(erv, ) (Entered: 06/14/2005)
06/20/2005	89	Stipulated PROTECTIVE ORDER. Signed by Magistrate Judge Craig B Shaffer on 6/20/05. (erv, ) (Entered: 06/20/2005)
06/20/2005	90	MINUTE ORDER re: 89 Stipulated Protective Order is accepted for filing as of this date. Parties are ORDERED to comply with all applicable FRCP and the Local Rules of Preactice in the United States District Court for the District of Colorado regarding the execution of this order by Magistrate Judge Craig B Shaffer on 6/20/05. (erv, ) (Entered: 06/20/2005)
07/01/2005	91	MOTION to Amend/Correct/Modify Scheduling Order by Defendant Erchonia Medical, Inc..

- (Mann, John) (Entered: 07/01/2005)
- 07/12/2005 92 Stipulated MOTION for Order to Amend Scheduling Order by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Mann, John) (Entered: 07/12/2005)
- 07/13/2005 93 MEMORANDUM referring to Magistrate Judge Shaffer : 92 Stipulated MOTION for Order to Amend Scheduling Order filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 7/13/05. (erv, ) (Entered: 07/13/2005)
- 07/13/2005 94 Minute ORDER granting 91 the Stipulated Motion to Amend teh Scheduling Order, the deadline to submit Affirmative Expert Disclosure is extended to 8/30/05, The parties shall file a claim construction brief on or before 8/15/05; The Erchonia parties have until 9/15/05 to file a response and reply brief if needed, no later than 9/30/05; striking 92 the Stipulated Motion for Order , by Magistrate Judge Craig B Shaffer on 7/13/05. (erv, ) (Entered: 07/13/2005)
- 08/12/2005 95 Stipulated MOTION to Amend/Correct/Modify [83] Scheduling Order, Set Scheduling Order Deadlines, [93] Memorandum,, 94 Order on Motion to Amend/Correct/Modify,, Order on Motion for Order, Scheduling Order by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Garcia, Valerie) (Entered: 08/12/2005)
- 08/14/2005 96 MEMORANDUM referring to Magistrate Judge Shaffer : 95 Stipulated MOTION to Amend/Correct/Modify (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 8/14/05. (dlb, ) (Entered: 08/15/2005)
- 08/17/2005 97 Unopposed MOTION for Extension of Time to File Response/Reply To A Major Difference's First Set Of Discovery by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Garcia, Valerie) (Entered: 08/17/2005)
- 08/18/2005 98 MEMORANDUM referring to Magistrate Judge Shaffer : 97 Unopposed MOTION for Extension of Time to File Response/Reply To A Major Difference's First Set Of Discovery filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 8/18/05. (erv, ) (Entered: 08/18/2005)
- 08/18/2005 99 Minute ORDER granting 95 Second Stipulated Motion to Amend Scheduling Order,Rule 26(a)(2) AFFIRMATIVE expert disclosures October 13, 2005; Rule 26(a)(2) REBUTTAL expert disclosures November 14, 2005; Discovery deadline December 12, 2005; Dispositive motion deadline January 30, 2006; by Magistrate Judge Craig B Shaffer on 08/17/05. (erv, ) (Entered: 08/18/2005)
- 08/22/2005 100 Minute ORDER granting 97 Erchonia's Unopposed Motion for Extension of Time to File Response To A Major Difference's First Set Of Discovery Responses due by 8/31/2005, by Magistrate Judge Craig B Shaffer on 8/19/05. (erv, ) (Entered: 08/22/2005)
- 08/22/2005 101 MOTION for Hearing/Conference Re Markman and Construction as a Matter of Law of Disputed Claim Terms of U.S. Pat. 6,746,473 by Counter Defendants A Major Difference, Inc., Robert Moroney, Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Third Party Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Counter Claimant Stargate International, Inc., a Colorado corporation. (Brunelli, Robert) (Entered: 08/22/2005)
- 08/22/2005 102 BRIEF in Support re 101 MOTION for Hearing/Conference Re Markman and Construction as a Matter of Law of Disputed Claim Terms of U.S. Pat. 6,746,473 filed by Counter Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Third Party Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Counter Claimant Stargate International, Inc., a Colorado corporation. (Attachments: # 1 Exhibit 1, pp. 1-6# 2 Exhibit 2 pp. 1-25# 3 Exhibit 2, pp. 26-53# 4 Exhibit 3, pp. 1-12)(Brunelli, Robert) (Entered: 08/22/2005)
- 08/22/2005 103 DECLARATION of Barbara A. Soltz, Ph.D. regarding MOTION for Hearing/Conference Re Markman and Construction as a Matter of Law of Disputed Claim Terms of U.S. Pat. 6,746,473101, Brief in Support of Motion,,, 102 by Counter Defendants A Major Difference, Inc.,

- Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Third Party Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Counter Claimant Stargate International, Inc., a Colorado corporation. (Attachments: # 1 Exhibit A, pp. 1-3# 2 Exhibit B, pp. 1-5# 3 Exhibit C, pp. 1-5# 4 Exhibit D, pp. 1-15# 5 Exhibit D, pp. 16-30# 6 Exhibit E, pp. 1-6# 7 Exhibit E, pp. 7-13)(Brunelli, Robert) (Entered: 08/22/2005)
- 08/23/2005 104 ORDER denying 101 Motion for Hearing/Conference without prejudice. Signed by Judge Marcia S. Krieger on 8/23/05. (erv, ) (Entered: 08/23/2005)
- 08/26/2005 105 Joint MOTION for Hearing/Conference re 104 Order on Motion for Hearing/Conference for a Markman Hearing and Construction as a Matter of Law of Disputed Claim Terms of '473 Patent by Counter Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Third Party Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Counter Claimant Stargate International, Inc., a Colorado corporation. (Brunelli, Robert) (Entered: 08/26/2005)
- 09/07/2005 106 NOTICE of Entry of Appearance by Benjamin Baughman Lieb on behalf of A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, George Gonzalez, Lorena Guzman, Stargate International, Inc., a Colorado corporation, A Major Difference, Inc., A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, George Gonzalez, Lorena Guzman, Stargate International, Inc., a Colorado corporation, Stargate International, Inc., a Colorado corporation (Lieb, Benjamin) (Entered: 09/07/2005)
- 09/16/2005 107 ORDER, Set Hearings: Two Day Evidentiary Hearing set for 11/17/2005 at 09:00 AM in Courtroom A 901 before Judge Marcia S. Krieger, Regarding the Joint Motion for Markman Hrg, Signed by Judge Marcia S. Krieger on 9/16/05. (erv, ) (Entered: 09/19/2005)
- 09/19/2005 108 ORDER denying [16] Dfts Erchonia Medical, Inc., Erchonia Medical Lasers, LLC and Erchonia Patent Holdings, LLC's Motion to Dismiss . Signed by Judge Marcia S. Krieger on 9/19/05. (erv, ) (Entered: 09/19/2005)
- 09/22/2005 109 BRIEF in Opposition re 105 Joint MOTION for Hearing/Conference re 104 Order on Motion for Hearing/Conference for a Markman Hearing and Construction as a Matter of Law of Disputed Claim Terms of '473 Patent Erchonia's Markman Brief on Claims Construction filed by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Exhibit Erchonia Markman Brief Exhibit A# 2 Exhibit Erchonia Markman Brief Exhibit B# 3 Exhibit Erchonia Markman Brief Exhibit C# 4 Exhibit Erchonia Markman Brief Exhibit D, Part 1# 5 Exhibit Erchonia Markman Brief Exhibit D, Part 2# 6 Exhibit Erchonia Markman Brief Exhibit E# 7 Deposition Excerpts Erchonia Markman Brief Exhibit F# 8 Exhibit Erchonia Markman Brief Exhibit G# 9 Affidavit Affidavit of John Greivenkamp# 10 Exhibit Greivenkamp Affidavit Exhibit 1# 11 Exhibit Medtronic)(Mann, John) (Entered: 09/22/2005)
- 09/28/2005 110 Erchonia Defendants' ANSWER to Complaint (Plaintiff's Seventh Claim for Relief) by Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C..(Gabriel, Richard) (Entered: 09/28/2005)
- 10/04/2005 111 MINUTE ORDER, Reset Hearings: Settlement Conference set for 12/20/2005 01:30 PM in Courtroom A 402 before Magistrate Judge Craig B Shaffer. by Magistrate Judge Craig B Shaffer on 10/4/05. (erv, ) (Entered: 10/04/2005)
- 10/06/2005 112 Stipulated MOTION to Dismiss A Major Difference, Inc.'s Eighth and Tenth Claims for Relief, With Prejudice by Plaintiff A Major Difference, Inc., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only))(Brunelli, Robert) (Entered: 10/06/2005)
- 10/06/2005 113 ORDER granting 112 Stipulated Motion to Dismiss A Major Difference, Inc.'s Eighth and Tenth Claims for Relief. Signed by Judge Marcia S. Krieger on 10/6/05. (erv, ) (Entered: 10/07/2005)
- 10/07/2005 114 Stipulated MOTION to Dismiss Erchonia's Third Party Complaint by Third Party Defendants George Gonzalez, Lorena Guzman, Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only))(Mann, John) (Entered: 10/07/2005)

- 10/07/2005 115 REPLY to Response to Motion re 101 MOTION for Hearing/Conference Re Markman and Construction as a Matter of Law of Disputed Claim Terms of U.S. Pat. 6,746,473 filed by Counter Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Third Party Defendants A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Counter Claimant Stargate International, Inc., a Colorado corporation. (Attachments: # 1 Exhibit 4; 2 Pages)(Brunelli, Robert) (Entered: 10/07/2005)
- 10/11/2005 116 ORDER granting 114 Stipulated Motion to Dismiss with prejudice the Third-Party Complaint against Third-Party Defendants George Gonzalez, D.C. and Lorena Guzman, each party to bear their own atty fees and costs. Signed by Judge Marcia S. Krieger on 10/11/05. (erv, ) (Entered: 10/11/2005)
- 10/12/2005 117 First MOTION For Extension of Time to Serve Damages Expert Report by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only))(Gabriel, Richard) (Entered: 10/12/2005)
- 10/12/2005 118 MEMORANDUM referring to Magistrate Judge Shaffer : 117 First MOTION For Extension of Time to Serve Damages Expert Report filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 10/12/05. (erv, ) (Entered: 10/13/2005)
- 10/13/2005 119 ORDER granting 117 Erchonia Dfts Unopposed Motion for Extension of Time to serve Damages Expert Report to and incl 10/19/05. Signed by Magistrate Judge Craig B Shaffer on 10/13/05. (erv, ) (Entered: 10/13/2005)
- 10/19/2005 120 Unopposed MOTION to Reset Settlement Conference by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Mann, John) (Entered: 10/19/2005)
- 10/19/2005 121 MEMORANDUM referring to Magistrate Judge Shaffer : 120 Unopposed MOTION to Reset Settlement Conference filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 10/19/05. (erv, ) (Entered: 10/19/2005)
- 10/20/2005 122 Minute ORDER granting 120 Motion to Reset; Settlement Conference Reset for 1/5/2006 01:30 PM in Courtroom A 402 before Magistrate Judge Craig B Shaffer., by Magistrate Judge Craig B Shaffer on 10/20/05. (erv, ) (Entered: 10/20/2005)
- 10/24/2005 123 Unopposed MOTION For Extension of Time to Respond to A Major Difference, Inc.'s Second Set of Discovery by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Mann, John) (Entered: 10/24/2005)
- 10/24/2005 124 MEMORANDUM referring to Magistrate Judge Shaffer : 123 Unopposed MOTION For Extension of Time to Respond to A Major Difference, Inc.'s Second Set of Discovery filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 10/24/05. (erv, ) (Entered: 10/25/2005)
- 10/25/2005 125 First MOTION to Amend/Correct/Modify [17] Answer to Complaint,, Counterclaim,, [17] Third Party Complaint, Based on Newly-Discovered Evidence by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Exhibit First Part of Exhibit A# 2 Exhibit Second Part of Exhibit A# 3 Exhibit Third Part of Exhibit A# 4 Proposed Order (PDF Only))(Gabriel, Richard) (Entered: 10/25/2005)
- 10/25/2005 126 AMENDED COMPLAINT (third-party) and Amended Counterclaims against A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, A Major Difference, Inc., A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Stargate International, Inc., a Colorado corporation, filed by Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C..(Gabriel, Richard) (Entered: 10/25/2005)

- 10/25/2005 127 Minute ORDER granting 123Unopposed Motion for Extension of Time to Respond to a Major Difference Inc's Second set of Discovery to on or before 10/31/05 by Magistrate Judge Craig B Shaffer on 10/25/05. (erv, ) (Entered: 10/25/2005)
- 10/26/2005 128 AMENDED COMPLAINT (second) Motion for Leave to Amend Counterclaims and Third-Party Complaint Based on Newly Discovered Evidence against A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, George Gonzalez, Lorena Guzman, Stargate International, Inc., a Colorado corporation, A Major Difference, Inc., A Major Difference, Inc., Robert Moroney, Robert E. Robert E. Moroney, LLC a Colorado Limited liability company, Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Stargate International, Inc., a Colorado corporation, filed by Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Document Amended Counterclaims and Amended Third-Party Complaint# 2 Exhibit A-1# 3 Exhibit A-3# 4 Exhibit A-2# 5 Proposed Order (PDF Only))(Gabriel, Richard) (Entered: 10/26/2005)
- 10/26/2005 129 Amended MOTION to Amend/Correct/Modify [17] Answer to Complaint,, Counterclaim,, [17] Third Party Complaint, Based on Newly-Discovered Evidence by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Document Amended Counterclaims and Amended Third-Party Complaint# 2 Exhibit A-1# 3 Exhibit A-2# 4 Exhibit A-3# 5 Proposed Order (PDF Only)) (Gabriel, Richard) (Entered: 10/26/2005)
- 11/04/2005 130 MOTION to Amend/Correct/Modify [1] Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) with Cert of Compliance with Rule 7.1A by Plaintiff A Major Difference, Inc.. (Brunelli, Robert) (Entered: 11/04/2005)
- 11/04/2005 131 BRIEF in Support re 130 MOTION to Amend/Correct/Modify [1] Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) with Cert of Compliance with Rule 7.1A filed by Plaintiff A Major Difference, Inc.. (Attachments: # 1 Exhibit 1 to Motion to Amend Complaint# 2 Exhibit 2 to Motion to Amend Complaint# 3 Exhibit 3 to Motion to Amend Complaint# 4 Exhibit 4 to Motion to Amend Complaint# 5 Exhibit 5 to Motion to Amend Complaint# 6 Exhibit 6 to Motion to Amend Complaint# 7 Exhibit 7 to Motion to Amend Complaint# 8 Exhibit 8 to Motion to Amend Complaint# 9 Exhibit 9 to Motion to Amend Complaint# 10 Exhibit 10 to Motion to Amend Complaint# 11 Exhibit 11 to Motion to Amend Complaint)(Brunelli, Robert) (Entered: 11/04/2005)
- 11/04/2005 132 BRIEF in Opposition re 129 Amended MOTION to Amend/Correct/Modify [17] Answer to Complaint,, Counterclaim,, [17] Third Party Complaint, Based on Newly-Discovered Evidence filed by Plaintiff A Major Difference, Inc.. (Attachments: # 1 Exhibit 1 to Response in Opposition to Erchonia's Motion for Leave to Amend Counterclaims and Third Party Complaint)(Brunelli, Robert) (Entered: 11/04/2005)
- 11/04/2005 133 DECLARATION of Neill Moroney regarding Brief in Support of Motion,,, 131, Brief in Opposition to Motion, 132 by Plaintiff A Major Difference, Inc.. (Attachments: # 1 Exhibit A to Declaration of Neill Moroney# 2 Exhibit B to Declaration of Neill Moroney)(Brunelli, Robert) (Entered: 11/04/2005)
- 11/04/2005 134 Stipulated MOTION to Amend/Correct/Modify [63] Scheduling Order by Plaintiff A Major Difference, Inc., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only) to Amend Scheduling Order)(Brunelli, Robert) (Entered: 11/04/2005)
- 11/07/2005 135 MEMORANDUM referring to Magistrate Judge Shaffer : 134 Stipulated MOTION to Amend/Correct/Modify [63] Scheduling Order (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 11/7/05. (erv, ) (Entered: 11/07/2005)
- 11/14/2005 136 Fourth MOTION to Amend/Correct/Modify [93] Memorandum, Scheduling Order by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only))(Mann, John) (Entered: 11/14/2005)
- 11/14/2005 137 MEMORANDUM referring to Magistrate Judge Shaffer : 136 Fourth MOTION to Amend/Correct/Modify [93] Memorandum, Scheduling Order filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 11/14/05. (erv, ) (Entered: 11/15/2005)
- 11/14/2005 138 ORDER granting 136 Fourth Stipulated Motion to Amend the Scheduling Order; on or before 11/21/05, the parties shall serve their disclosures of rebuttal experts witnesses, by Magistrate

- Judge Craig B Shaffer on 11/14/05. (erv, ) (Entered: 11/15/2005)
- 11/16/2005 139 STIPULATION Stipulated Proposed Order of Presentation of Proof and Argument for November 17-18, 2005 Markman Hearing by Counter Defendants Miki Smith, KMS Marketing, Incorporated, Stargate International, Inc., a Colorado corporation, Plaintiff A Major Difference, Inc., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Exhibit 1 to Stipulated Proposed Order of Presentation of Proof# 2 Exhibit 2 - Joint Witness List# 3 Exhibit 3 - Joint Exhibit List)(Lieb, Benjamin) (Entered: 11/16/2005)
- 11/16/2005 140 Minute ORDER granting 134 Third Stipulated Motion to Amend Scheduling Order and the Discovery deadline will be extended up to and incl 12/20/05 for the sole purpose of completing depositions of expert witnesses, by Magistrate Judge Craig B Shaffer on 11/16/05. (erv, ) (Entered: 11/17/2005)
- 11/17/2005 141 Minute Entry for proceedings held before Judge Marcia S. Krieger : Markman Hearing held on 11/17/2005. The Court takes the matter under advisement. (Court Reporter Paul Zuckerman.) (mskcd, ) (Entered: 11/17/2005)
- 11/21/2005 142 REPLY to Response to Motion re 129 Amended MOTION to Amend/Correct/Modify [17] Answer to Complaint,, Counterclaim,, [17] Third Party Complaint, Based on Newly-Discovered Evidence (reply in further support) filed by Third Party Plaintiffs Erchonia Medical, Inc., Erchonia Patent Holdings, L.L.C., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Gabriel, Richard) (Entered: 11/21/2005)
- 11/21/2005 143 Fifth MOTION to Amend/Correct/Modify Scheduling Order by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., Counter Claimants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Affidavit Affidavit of John Greivenkamp# 2 Proposed Order (PDF Only) Proposed Order)(Mann, John) (Entered: 11/21/2005)
- 11/21/2005 144 Unopposed MOTION For Extension of Time to Respond to A Major Difference, Inc.'s Motion to Amend Its Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only)) (Mann, John) (Entered: 11/21/2005)
- 11/22/2005 148 MEMORANDUM referring to Magistrate Judge Shaffer : 143 Fifth MOTION to Amend/Correct/Modify Scheduling Order filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 11/22/05. (erv, ) (Entered: 12/13/2005)
- 11/23/2005 145 MEMORANDUM referring to Magistrate Judge Shaffer : 144 Unopposed MOTION For Extension of Time to Respond to A Major Difference, Inc.'s Motion to Amend Its Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) filed by Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C., (Text Only Entry - No Document Attached) by Judge Marcia S. Krieger on 11/23/05. (erv, ) (Entered: 11/23/2005)
- 11/28/2005 146 Minute ORDER granting 144 Erchonia's Unopposed Motion for Extension of Time to respond to A Major Difference, Inc's Motion to Amend it's Complaint to and incl 12/20/05; A Major Difference, Inc's shall have to and incl 1/20/06 in which to file its reoly in support of it's Motion to Amend The Complaint, by Magistrate Judge Craig B Shaffer on 11/28/05. (erv, ) (Entered: 11/28/2005)
- 12/08/2005 147 TRANSCRIPT of Markman Hearing held on November 17, 2005 before Judge Marcia S. Krieger. Prepared by: Paul Zuckerman. Pages: 1-119. (certified copy) Text Only Entry - Available in paper format at the Clerk's Office (erv, ) (Entered: 12/09/2005)
- 12/14/2005 149 Minute ORDER granting 143 Motion to Amend/Correct/Modify the Scheduling Order, by Magistrate Judge Craig B Shaffer on 12/14/05. (erv, ) (Entered: 12/14/2005)
- 12/20/2005 150 RESPONSE to Motion re 130 MOTION to Amend/Correct/Modify [1] Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) with Cert of Compliance with Rule 7.1A filed by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit)(Mann, John) (Entered: 12/20/2005)
- 12/29/2005 151 Unopposed MOTION for Leave to Allow Out of State Insurance Adjuster to Attend Settlement Conference by Telephone by Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1)(Mann, John) (Entered: 12/29/2005)

12/29/2005 152 ORDER granting 151 Erchonia Dfts Unopposed Motion for Leave to allow Out-of-State Insurance Adjustor to Attend Settlement Conf by Telephone. Signed by Magistrate Judge Craig B Shaffer on 12/29/05. (erv, ) (Entered: 12/29/2005)

01/09/2006 153 Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer : Settlement Conference held on 1/9/2006 (erv, ) (Entered: 01/09/2006)

01/11/2006 154 Unopposed MOTION for Extension of Time to File Response/Reply as to 130 MOTION to Amend/Correct/Modify [1] Complaint to Withdraw Claims 5, 6, 7, 9 and 11 and to Streamline Its Patent Unenforceability Claim (Claims 3 and 4) with Cert of Compliance with Rule 7.1A by Plaintiff A Major Difference, Inc.. (Attachments: # 1 Proposed Order (PDF Only))(Brunelli, Robert) (Entered: 01/11/2006)

01/11/2006 155 Joint MOTION to Amend/Correct/Modify 99 Order on Motion to Amend/Correct/Modify, Scheduling Order by Plaintiff A Major Difference, Inc., Defendants Erchonia Medical, Inc., Erchonia Medical Lasers, L.L.C., Erchonia Patent Holdings, L.L.C.. (Attachments: # 1 Proposed Order (PDF Only))(Brunelli, Robert) (Entered: 01/11/2006)

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